



C/2024/7091

22.11.2024

Communication from the Government of the Republic of Poland concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons

(C/2024/7091)

Notice of concession application for the prospection and exploration of oil and natural gas deposits and the extraction of oil and natural gas in the 'Grabówka' area

SECTION I: LEGAL BASIS

1. Article 49ec(2) of the Geological and Mining Law Act of 9 June 2011 (Journal of Laws [Dziennik Ustaw] 2023, item 633, as amended)
2. Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons (OJ L 164, 30.6.1994, p. 3; Special edition in Polish: Chapter 6, Volume 2, p. 262)

SECTION II: ENTITY INVITING BIDS

Name: Ministerstwo Klimatu i Środowiska [Ministry of Climate and the Environment]

Postal address: ul. Wawelska 52/54, 00-922 Warszawa

Tel. +48 223692449; Fax +48 223691100

Internet: www.gov.pl/web/klimat

SECTION III: SUBJECT OF THE PROCEDURE

1) **Information on the submission of concession applications:**

A concession application for the prospection and exploration of oil and natural gas deposits and the extraction of oil and natural gas in the '**Grabówka**' area has been submitted to the concession authority.

2) **Type of activity for which the concession is to be granted:**

Concession for the prospection and exploration of oil and natural gas deposits and the extraction of oil and natural gas in the '**Grabówka**' area, part of concession block No 287.

3) **Area within which the activities are to be conducted:**

The boundaries of the area are defined by lines joining points with the following coordinates in the PL-1992 coordinate system:

No	X [PL-1992]	Y [PL-1992]
1	405364	369191
2	405134	378442
3	399576	378309
4	399806	369048

The surface area of the vertical projection of the area is 51,5 km².

Administrative location:

Dolnośląskie Province

Milicz District, Milicz Rural Municipality

Trzebnica District, Trzebnica Rural Municipality

4) **Deadline for the submission of concession applications by other entities interested in the activity for which the concession is to be granted, not less than 90 days from the date of publication of the notice in the Official Journal of the European Union:**

Concession applications must be submitted to the Ministry of the Environment no later than 12:00 noon (CET/CEST) on the last day of the 90-day period commencing on the day following the date of publication of the notice in the *Official Journal of the European Union*.

5) **Assessment criteria and weightings for concession applications, set with due regard to Article 49k(1), (1a) and (3) of the Geological and Mining Law Act:**

Applications received will be assessed on the basis of the following criteria:

30 % - scope and schedule of the proposed geological works, including geological operations, or mining operations;

20 % - financial capacities offering an adequate guarantee that activities relating to, respectively, the prospection and exploration of hydrocarbon deposits and the extraction of hydrocarbons will be carried out, and in particular the sources and methods of financing the intended activities, including the share of own funds and external financing;

20 % - the proposed technology for conducting geological works, including geological operations, or mining operations;

15 % - technical capacities for the prospection and exploration of hydrocarbon deposits and the extraction of hydrocarbons, and in particular the availability of appropriate technical, organisational, logistical and human resources potential;

10 % - scope and schedule of the mandatory collection of samples obtained during geological operations, including drill cores;

5 % - experience in the prospection and exploration of hydrocarbon deposits or the extraction of hydrocarbons, ensuring safe operation, the protection of human and animal life and health, and environmental protection.

If, following the evaluation of applications on the basis of the criteria specified above, two or more bids obtain the same score, the amount of the fee for the establishment of mining usufruct rights due during the prospection and exploration phase will be used as an additional criterion allowing a final choice to be made between the bids concerned.

SECTION IV: ADDITIONAL INFORMATION

IV.1) **Applications should be sent to the following address:**

Ministerstwo Klimatu i Środowiska
Departament Geologii
ul. Wawelska 52/54
00-922 Warszawa
POLAND

IV.2) **Information may be obtained from:**

— the website of the Ministry of Climate and the Environment: <https://www.gov.pl/web/klimat>

— the Geology Department

Ministerstwo Klimatu i Środowiska
ul. Wawelska 52/54
00-922 Warszawa
POLAND

Tel. +48 223692449, fax +48 223261100

Email: departament.geologii@klimat.gov.pl

IV.3) **Qualification decision:**

Concession applications may be submitted by entities in respect of which a decision has been issued confirming the positive outcome of a qualification procedure, as provided for in Article 49a(17) of the Geological and Mining Law Act.

IV.4) Minimum fee for establishing mining usufruct rights:

The minimum fee for establishing mining usufruct rights for the 'Grabówka' area during the five-year base period of the prospection and exploration phase is **PLN 30 000,00** (thirty thousand zlotys) **per annum**. The annual fee for establishing mining usufruct rights in the prospection and exploration phase is indexed to average annual consumer price indices set cumulatively for the period from the conclusion of the agreement until the year preceding the date for payment of the fee, as announced by the President of Statistics Poland in the Polish Official Gazette (Monitor Polski).

IV.5) Granting of the concession and establishment of mining usufruct:

The concession authority, having obtained the opinions or agreements required under the Geological and Mining Law Act, will grant a concession for the prospection and exploration of hydrocarbon deposits and the extraction of hydrocarbons:

- 1) to the entity whose concession application has been awarded the highest score, or
- 2) where a concession application submitted jointly by several entities is awarded the highest score, to the parties to the cooperation agreement – once that agreement has been submitted to the concession authority.

At the same time it will decline to grant concessions to the other entities (Article 49ee(1) of the Geological and Mining Law Act).

The concession authority will conclude a mining usufruct contract with the entity whose concession application has been awarded the highest score; where a concession application submitted jointly by several entities is awarded the highest score, it will conclude such a contract with all the entities which submitted the joint application (Article 49ee(2) of the Geological and Mining Law Act). In order to be able to carry out activities involving the prospection and exploration of hydrocarbon deposits and the extraction of hydrocarbons in Poland, an operator must hold both mining usufruct rights and a concession.

IV.6) Requirements to be met by concession applications and documents required from applicants:

Article 49eb of the Geological and Mining Law Act specifies the component parts of the concession application.

The age of the geological formations (geological purpose) where geological works will be carried out should be indicated as the purpose of the works, including geological operations.

IV.7) Minimum deposit exploration category:

The minimum exploration category for oil and natural gas deposits in the 'Grabówka' area is category B.

*On behalf of the Minister
Ministry of Climate and the Environment*
